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CHAPTER 477.

AN ACT relating to the powers of the state board of assessment in the assessment and taxation of express companies, sleeping car companies, freight line companies and equipment companies, under chapters 111, 112, 113 and 114, laws of 1899.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

Reports to be made to state board of assessment. SECTION 1. Every express company, sleeping car company, freight line company and equipment company as described in chapters 111, 112, 113 and 114, laws of 1899, shall hereafter make the reports required by said chapters directly to the state board of assessment instead of to the state treasurer.

Additional information may be required. SECTION 2. The state board of assessment shall have the power to call for, and it shall be the duty of any such company upon request of the board to furnish such information in addition to the reports prescribed under said chapters in relation to its property or business as may in the opinion of the board have a bearing upon the proper valuation to be placed upon the property of such company in this state. The state board of assessment shall furnish forms of reports.

Neglect or failure to report, how excused. SECTION 3. If any company described in this act or its officers or agents shall unreasonably refuse or neglect to make any report required by law or by said board or shall unreasonably refuse or neglect to answer any material question, or to permit an inspection of its records, books, accounts or papers when requested by said board, it shall be estopped to question or impeach the action or determination of the board except upon satisfactory proof of fraud or mistake injurious to it. No such company shall be allowed in any action or proceeding to question the amount or valuation of its property and franchises as assessed by the board unless it shall have made and filed with such board a full and complete report of the facts and information prescribed by law and called for by the board; provided that the refusal or neglect of such company

to file its report in time may, on verified petition and for good cause shown, be excused by the board on condition that such company shall make a full and complete report disclosing all facts and information required of it within fifteen days after leave is given to file such report, and shall appear before the board and make full disclosure of all property liable to assessment and taxation under this act and show its value.

May view and inspect properties; assessments. SECTION 4. For the purpose of determining the true cash value of the property of each such company, including the value of its franchises, the board may view and inspect any of its property and may consider the reports filed in compliance with law and any reports and returns of the company in the office of any officer of this state or any public office in any other state and such other evidence or information as may have been taken or obtained bearing upon the true cash value of the property and franchises of such company. In case of companies doing business partly within and partly without this state the board shall assess such portion of the entire property as is properly and legally apportionable to this state, taking into consideration the value of the entire system and of that part thereof within this state, the earning capacity of the entire system and of that part within this state, its entire mileage and the mileage within this state, the car mileage of the entire system and the car mileage within this state and such other information, facts and circumstances as will aid the board to make a substantially just and correct determination of the valuation of so much of said property as is subject to taxation in this state, according to the provisions of chapters 111, 112, 113 and 114 of the laws of 1899, as applicable to the respective companies therein named. In ascertaining the mileage for the entire system of any company or in this state, water, coastwise and ocean mileage may be excluded. When the true cash value of the property of any such company liable to taxation in this state shall have been ascertained and determined, the amount thereof shall be entered upon an assessment roll, to be prepared by the board, opposite the name of the company assessed and shall be and constitute the assessment of the entire property and franchises of such company within this state. The board shall, in a separate column, place the amount of taxes levied against such company and shall state the rate of taxation and shall file such assessment and tax roll in the office of the state treasurer. In the case of any company whose assessment has

been delayed because of proceedings taken under section 3 hereof, the board shall upon the completion of the assessment of any such company file a separate assessment and tax roll for the collection of the taxes therein levied with the state treasurer.

Freight line companies, how defined. SECTION 5. Any person, partnership, joint stock company, association or corporation (not being a railroad company or the lessee of a railroad company) wherever organized or incorporated owning and operating or operating any railroad, freight, refrigerator or tank cars on railway lines in this state for the transportation of his or its goods, wares, merchandise or products, shall be deemed a freight line company and shall be assessed and taxed by the state board of assessment under the provisions of this act and chapter 113 of the laws of 1899 and amendments thereto.

Taxes, when due. SECTION 6. Any tax levied upon the property of any such company shall be considered due thirty days after the mailing to it by the state treasurer of the notice of its assessment, the rate of levy and the amount of the tax. All taxes remaining unpaid shall draw interest at the rate of fifteen per centum per annum after due, which interest shall be in lieu of the penalty of ten per cent specified in chapters 111, 112, 113 and 114, laws of 1899.

SECTION 7. This act shall take effect and be in force from and after its passage and publication.

Approved June 20, 1905.